

FILED 08 SEP 10 15:00 USDC-ORP

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF OREGON**

UNITED STATES OF AMERICA

CR No. 08 - 405 - K

v.

INDICTMENT

WINDY N. HARVEY,

**[18 U.S.C. §§ 924(c), 1111, 1153, and
1512(a)(2)(C) and 1512(a)(3)]**

Defendant.

THE GRAND JURY CHARGES:

COUNT 1:

[Murder in the Second Degree]

On or about August 15, 2008, on the Warm Springs Indian Reservation, within Indian Country, within the special maritime and territorial jurisdiction of the United States, and in the District of Oregon, **WINDY N. HARVEY**, defendant herein, an Indian male, with malice aforethought, did unlawfully kill Warren Wallulatum Jr., an Indian male, all in violation of Title 18, United States Code, Sections 1111 and 1153.

COUNT 2:

**[Using and Carrying a Firearm During and in
Relation to a Crime of Violence]**

That on or about August 15, 2008, on the Warm Springs Indian Reservation, within Indian Country, within the special maritime and territorial jurisdiction of the United States, and

in the District of Oregon, **WINDY N. HARVEY**, defendant herein, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, to wit: Murder in the Second Degree, as alleged in Count One, knowingly used and carried a firearm, the grand jury further alleges that during the commission of this offense the defendant discharged the firearm; all in violation of Title 18, United States Code, Section 924(c).

COUNT 3:

[Tampering and Attempting to Tamper with a Witness]

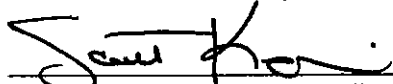
That on or about August 15, 2008, on the Warm Springs Indian Reservation, within Indian Country, within the special maritime and territorial jurisdiction of the United States, and in the District of Oregon, **WINDY N. HARVEY**, defendant herein, did knowingly use the threat of physical force and attempted to do so with the intent to hinder, delay, and prevent the communication by a witness to a law enforcement officer of information relating to the commission and possible commission of a Federal offense, to-wit: Murder in the Second Degree; all in violation of Title 18, United States Code, Sections 1512(a)(2)(C) and 1512(a)(3).

DATED this 10th day of September 2008.

A TRUE BILL

OFFICIATING FOREPERSON

Presented by:
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